

Entered - 09/05/02 - sb  
CL02L0628 - DIANNE C. MITCHELL

CLAIM OF: **ARLETHIA BAUGH,**  
through her attorney,  
**Neil J. Kopitsky**  
100 Colony Square, Suite 820  
1175 Peachtree Street  
Atlanta, Georgia 30361

**02-*P*-1696**

For damages alleged to have been sustained as a result of a vehicular  
accident on April 17, 2002 at Clair Drive and Lakewood Avenue.

THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell*  
**ROSALIND RUBENS NEWELL**  
**DEPUTY CITY ATTORNEY**

CITY COUNCIL OCT 07 2002

**VERSE REPORT**

C SAFETY &

ADMINISTRATION COMMITTEE

*10/1/02*  
*Natasha...*  
*...*  
*...*



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

October 17, 2002

Neil J. Kopitsky  
Attorney at Law  
1175 Peachtree St.  
100 Colony Square, Suite 820  
Atlanta, GA 30361

02-R-1696

RE: Arlethia Baugh

Dear Attorney Kopitsky:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on October 7, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0628

Date: September 6, 2002

Claimant /Victim ARLETHIA BAUGH  
BY: (Atty) Neil J. Kopitsky  
Address: 100 Colony Square, Suite 820, 1175 Peachtree Street, Atlanta, Georgia 30361  
Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated  
Date of Notice: 08/28/02 Method: Written, proper X Improper       
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 04/17/02 Place: Clair Drive and Lakewood Avenue  
Department      Division:       
Employee involved      Disciplinary Action:     

NATURE OF CLAIM: The claimant alleges that she was injured in a vehicular accident while driving a vehicle owned by the Atlanta Board of Education. The investigation determined that the City of Atlanta was not involved in this accident. The Atlanta Board of Education is a separate legal entity from the City of Atlanta. The claimant's attorney has been advised to pursue this matter directly with the Atlanta Board of Education.

INVESTIGATION:

Statements: City employee      Claimant      Others      Written      Oral       
Pictures      Diagrams      Reports: Police X Dept Report      Other       
Traffic citations issued: City Driver      Claimant Driver       
Citation disposition: City Driver      Claimant Driver     

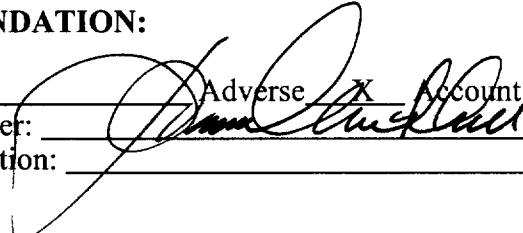
BASIS OF RECOMMENDATION:

Function: Governmental      Ministerial       
Improper Notice      More than Six Months      Other      Damages reasonable       
City not involved X Offer rejected      Compromise settlement       
Repair/replacement by Ins. Co.      Repair/replacement by City Forces       
Claimant Negligent      City Negligent      Joint      Claim Abandoned     

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$      Adverse X Account charged: 1A01      2J01      2H01      2P01       
Claims Manager:  Concur/date 090602  
Committee Action:      Council Action

RCS# 4099  
10/07/02  
5:15 PM

Atlanta City Council

Regular Session

CONSENT I                   0613;1695;1544;1562;1581;1666;1551  
                              1668; Except CDHR #6-#10  
                              RECON/READOPT

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 5  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
NV Young	Y Shook	NV Maddox	NV Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

CONSENT I

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**10/07/02 Council Meeting**

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**ITEMS ADOPTED ON CONSENT  
AGENDA**

- |               |               |
|---------------|---------------|
| 1. 02-O-1538  | 46. 02-R-1702 |
| 2. 02-O-1549  | 47. 02-R-1703 |
| 3. 02-O-1554  | 48. 02-R-1704 |
| 4. 02-O-1466  | 49. 02-R-1705 |
| 5. 02-O-1253  | 50. 02-R-1706 |
| 6. 02-O-1575  | 51. 02-R-1707 |
| 7. 02-O-1576  | 52. 02-R-1708 |
| 8. 02-O-1582  |               |
| 9. 02-O-1447  |               |
| 10. 02-O-1545 |               |
| 11. 02-O-1261 |               |
| 12. 02-O-1534 |               |
| 13. 02-R-1662 |               |
| 14. 02-R-1669 |               |
| 15. 02-R-1709 |               |
| 16. 02-R-1711 |               |
| 17. 02-R-1712 |               |
| 18. 02-R-1713 |               |
| 19. 02-R-1633 |               |
| 20. 02-R-1664 |               |
| 21. 02-R-1667 |               |
| 22. 02-R-1673 |               |
| 23. 02-R-1469 |               |
| 24. 02-R-1642 |               |
| 25. 02-R-1644 |               |
| 26. 02-R-1649 |               |
| 27. 02-R-1714 |               |
| 28. 02-R-1727 |               |
| 29. 02-R-1650 |               |
| 30. 02-R-1651 |               |
| 31. 02-R-1652 |               |
| 32. 02-R-1653 |               |
| 33. 02-R-1654 |               |
| 34. 02-R-1655 |               |
| 35. 02-R-1656 |               |
| 36. 02-R-1657 |               |
| 37. 02-R-1658 |               |
| 38. 02-R-1659 |               |
| 39. 02-R-1660 |               |
| 40. 02-R-1718 |               |
| 41. 02-R-1719 |               |
| 42. 02-R-1698 |               |
| 43. 02-R-1699 |               |
| 44. 02-R-1700 |               |
| 45. 02-R-1701 |               |

**ITEMS ADVERSE  
ON CONSENT AGENDA**

- |               |
|---------------|
| 53. 02-R-1675 |
| 54. 02-R-1676 |
| 55. 02-R-1677 |
| 56. 02-R-1678 |
| 57. 02-R-1679 |
| 58. 02-R-1680 |
| 59. 02-R-1681 |
| 60. 02-R-1682 |
| 61. 02-R-1683 |
| 62. 02-R-1684 |
| 63. 02-R-1685 |
| 64. 02-R-1686 |
| 65. 02-R-1687 |
| 66. 02-R-1688 |
| 67. 02-R-1689 |
| 68. 02-R-1690 |
| 69. 02-R-1691 |
| 70. 02-R-1692 |
| 71. 02-R-1693 |
| 72. 02-R-1694 |
| 73. 02-R-1696 |
| 74. 02-R-1697 |

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Consent I Vote: 10Yeas; 0 Nays (See RCS #4099; Reconsidered See RCS #4043)

Items Removed from Consent: 02-R-1613; 02-R-1695; 02-O-1544; 02-O-1562; 02-O-1581; 02-R-1666; 02-O-1551; 02-R-1668; 02-O-1598; 02-O-1599; 02-O-1600; 02-O-1601; 02-O-1602